2: Hudson E-4, 5 (1936) 1938 RQ2 Kazak RQ2

428 to keep the shares of all sons as nearly equal as possible. If the father had not already negotiated for wives for his sons, the first necessity was to assure to each a sufficient competency in animals to pay the bride price. This requirement frequently absorbed the major part of the estate.

The division among the older sons having taken place, the remainder after the death of the father passed to the youngest son. He inherited also the kibitka of his father and the winter dwelling, although if the father had not had the means to provide the other sons with their own houses for winter they might continue to live with the youngest son in the house he had inherited.[59]

[583] A daughter did not normally inherit, but among the wealthier families received on her marriage a dowry which was, theoretically at least, held in trust for her by her husband.[60]

A daughter might also be considered in herself a valuable part of the inheritance in anticipation of the bride price which might later be received on her marriage. This potential income, especially in poor families where there was little actual property to divide, might be of great importance, and the sons, if there were nothing else, would apportion among themselves the bride price received for their sisters.[61]

429 [587] If a father died while his children were still minors his estate would be held in trust for them until they came of age by his brother, who, under the levirate, would normally marry the widow. That this guardianship was not without its perquisites is indicated by Grodekov's remark[62] that, "Upon coming of age the heir may overlook the embezzlement of his portion."

According to Levshin[63] careful husbands kept separate from their own possessions the dowries of their wives, since the wife's property was inherited by her own children alone and not by other children of her husband. I am not sure that this was usually the case. My informants were inclined to think that most husbands were not over-scrupulous about annexing their wives' dowries to their own property.

If a man died childless, his widow or widows, according to my information, would inherit. If there were more than one, the largest share went to the senior wife, in priority of marriage, and smaller shares to the junior wives. The actual division was determined [587] by the aqsaqal.[64] A widow marrying again retained the property which she had inherited. It did not pass to her new husband, although normally she would be expected to marry his younger brother, in which case it would remain in the family.

[597] Adoption might take place in order to acquire an heir. According to Tlenshiev, if a man died leaving only an elderly widow and no children she might adopt a son from another family in the uru, probably a son of the deceased husband's brother, who would be formally considered as her son and would inherit the property of her husband after her death.

[59] See also Radlov, *Aus Sibirien*, 1: 416.
[60] See also Levshin, *Description des hordes*, 364.
[61] Dingelstedt, *Le Droit coutumier*, 253–54.
[62] *Kirgizy i Karakirgizy*, 40.
[63] *Description des hordes*, 363.

1 [leader of uru -- Analyst]

majority earlier than a poor girl." Children were sometimes affianced in infancy and it occasionally happened that men who were close friends would agree to marry their as yet unborn children.[62]

When the financial status of the family made it possible, marriage took place at a very early age. Rudenko[63] states that boys were sometimes married at the age of eight or nine to women of middle age and girls not unusually married before sexual maturity. Lattimore[64] also mentions that in some regions it was customary for a boy first to marry a much older woman and later take a younger wife, relegating the first to the position of wife-emerita. In individual cases this would of course sometimes result from the levirate.[65] The age of marriage, however, was usually affected by the social and economic position of the family, because it was difficult for the poor to accumulate the bride price. Grodekov[66] says that the rich customarily married between the ages of twelve and fifteen but the poor much later, sometimes not until thirty. Daughters were married off as soon as possible in order to obtain the bride price and save the expense of supporting them at home.[67]

Marriages naturally tended to take place between families of the same social and economic status. My informants said that occasionally the son of a rich man might marry a daughter of a poor family because of her attractions. The opposite case of a poor man marrying a wealthy girl was very unusual and although it might perhaps occur the informants knew of no instances. Karutz[68] declares that as a rule rich married with rich and poor with poor, although there might be rare exceptions in the case of a family of distinguished ancestry, which, though formerly wealthy, had been suddenly reduced to poverty through disaster to their herds. Here the illustrious pedigree and good name of the family would compensate for their poverty for purposes of a matrimonial alliance.

The first essential preliminary to marriage was that of fixing the amount of the bride price (kalym). This varied greatly with the attractions of the prospective bride, the economic status of the families concerned and their relations to one another. Between families which were related, though not of course too closely, a reduced "relatives' kalym" was paid.[69] According to my information a rough approximation of the amount of kalym to be asked was first decided by the bride's father, perhaps in consultation with his relatives, and a process of bargaining then began with the bridegroom or his representatives. Possibly the bij (local judge) might be called in to arbitrate. Levshin suggests[70] that the mullah (priest) set the amount of the kalym, for which he received a commission. My informants

[62] See also Levshin, *Description des hordes*, 358.
[63] *Ocherk Byta . . . Kazakov*, 48.
[64] Lattimore (E.), *Turkestan Reunion*, 268.
[65] See below, pages 53–54.
[66] *Kirgizy i Kazaki-kirgizy*, 54.
[67] See also Dingelstedt, *Le Droit coutumier*, 150.
[68] *Unter Kirgisen und Turkmenen*, 98–99.
[69] Grodekov, *Kirgizy i Kazaki-kirgizy*, 40.
[70] *Description des hordes*, 358.

2: Hudson E-4, 5 (1936) 1938 RQ2 Kazak RQ2

583 considered a fairly good sized kalym to be around two hundred sheep and fifty horses, and a medium one perhaps forty sheep and ten horses. It might, however, amount among the rich to a great deal more and among the poor to considerably less.[71] A very poor man might have to go without a wife through inability to pay kalym but could usually find a girl without many prospects from an equally poverty stricken family whose parents were glad to be relieved of the necessity of supporting her.

The kalym was usually paid in installments over a period of several years. The first payment, according to my informants, sealed the marriage contract and no other man might thereafter marry the girl even though he were in a position to pay the full kalym at once. Tlenshiev said that in former times it had been customary to pay the entire amount in one sum but that in later days it was paid by degrees. The existence, however, of a complete terminology to describe the various stages in the payment of kalym indicates that the practice of payment by installments is probably of considerable antiquity.[72] It sometimes happened that the prospective bride grew old before her fiancé was able to complete the transaction. She was, however, according to Grodekov's material, not obliged to wait indefinitely. If by the time she had reached the age of twenty the youth were still entangled in his obligations, she might break the engagement. He could then apply the payments already made toward acquiring her younger sister or else admit his inability to cope with the situation and receive back a portion of what he had paid.[73]

836 As mentioned above, it appears to have been generally permitted for the fiancé to
583 visit his betrothed after the payment of the first installment of kalym. Levshin notes, however,[74] that in some places the bridegroom must remain at home and not visit the girl until the kalym had been paid in full. Where such visits were permitted there is considerable discrepancy in regard to the extent of intimacy between the two.[75] My informants said that sexual relations were in theory forbidden until the kalym had been paid in full but that they frequently occurred. The same may be inferred from Levshin's remark[76] that if the bride became pregnant the marriage was quickly completed even though the kalym had not been fully paid.

583 It is important to note here a possible change in the concept of the bride price and in the relationships of the individuals involved. Asfendiarov indicates, in a personal communication, that the character of kalym altered concommitantly with the development of feudal institutions in Kazak culture. Formerly, in his opinion, it had been part of a mutual exchange of gifts between the families of the bride and groom but later became an almost exclusively

[71] See also Lansdell, *Russian Central Asia*, 323–24; Levshin, *Description des hordes*, 358, note.

[72] See also Dingelstedt, *Le Droit coutumier*, 149; Lansdell, *Russian Central Asia*, 324–25.

[73] Dingelstedt, *Le Droit coutumier*, 149.

[74] *Description des hordes*, 360.

[75] See Dingelstedt, *Le Droit coutumier*, 149–50; Radlov, *Aus Sibirien*, 1: 477; Levshin, *Description des hordes*, 360.

[76] *Description des hordes*, 360.

1 [See cat. 116, p 47 -- Analyst]

commercial transaction amounting to the sale of the daughter by the father. Some evidence in support of this view may be found in Zalskie's statement:[77]

> According to ancient customs a kalym was intended to serve as the dowry of the young wife; today, on the contrary, especially among the poor, it has become the exclusive property of the father who gives to his daughter only a certain number of dresses and household utensils.

It may be noted here that in discussing marriage negotiations and the arrangement of the bride price my interpreter always employed the Russian verb prodavat' (to sell) in relation to the father's disposal of his daughter.

My information indicates that the practice of sending dowries along with the bride to the camp of her husband was largely restricted to the upper classes, though it might sometimes occur in a very modest way among poorer people. The principal feature of such dowries was a kibitka with furnishings for the young wife. She might also be accompanied by maidservants who were slaves. The dowry, including the slaves, was considered the property of the woman, and in case of divorce should be returned with her to her father. Many husbands, however, were not scrupulous about carefully distinguishing between their wives' property and their own. Moreover, from Grodekov's sources it appears that the dowry might be considered as belonging to the husband because in divorcing a wife who has committed no fault "he is obliged to restore to her a part of the goods which she has brought with her at marriage."[78]

Marriage ceremonies, which varied greatly in character and complexity according to the locality and the social status of the families involved, have been described by many authors.[79] My information contributes nothing new to these accounts.

DIVORCE AND REMARRIAGE

Marriages might be terminated by mutual consent, at the command of the husband or, in certain cases, at the wish of the wife. According to my informants, however, the dissolution of marriage among the rich was very rare, apparently because of the large amounts of kalym involved and the disputes that were sure to arise over its disposition if the union were terminated. The poorer people were much freer to separate.

The husband might divorce his wife for sterility,[80] adultery, lack of proper respect and discipline and sometimes because he had found her not a virgin at marriage. All of these reasons were sufficient cause for the return of all or part of the kalym which had been given for her. He might also, it appeared, simply refuse to support her and return her to her parents because he found her generally unsatisfactory. In such cases there was always a conflict over the restitution of the bride price. Hence it was to the advantage of the bride's

[77] *La Vie des steppes*, 24.

[78] Dingelstedt, *Le Droit coutumier*, 155.

[79] Divaev, *O Svadebnom Obriade*, 2–27; Karutz, *Unter Kirgisen und Turkmenen*, 101–10; see also Levshin, *Description des hordes*, 360–61; Zalskie, *La Vie des steppes*, 24; Radlov, *Aus Sibirien*, 1:477–84.

[80] See also Dingelstedt, *Le Droit coutumier*, 155.

428 There are no statements about a vacant succession, since no one lives without relatives and friends, who appropriate this property for themselves. In case of some sort of epidemic such property would be stolen (Perovsk uyezd). (1)

[567] 1. Slaves could not possess property or receive an inheritance. A slave and his family who were received in an allotment did not inherit anything. An unalloted adopted slave or his children received a small share of the inheritance. A slave woman was taken by the successor. They might give her something in view of advanced age. If she had a son, /54/ he could receive a part, for example, one-third of the usual allotment or less, depending on the generosity of the deceased or the successor.

[575] Children of concubines who were not adopted did not receive inheritance. The adopted ones received half of what the other heirs received. Communicated by Sultan Daulet Bushaev.

/54/ In ancient times, wergeld which was sentenced to be paid by the deceased was demanded to be paid by his heirs from the inheritance. But if the defendant died before the matter was decided, so that he did not have the possibility of clearing himself, the demand for the wergeld was refused. Now the heir takes part in the payment of the wergeld just as much as all the members of the clan which is paying the wergeld(khundas).

/55/ CHAPTER V.

Conditions for entering into marriage. - Matchmaking. - Oruntoy. - Wedding. - Gifts of the groom to the women. - The procession of the wedding couple to the groom's father.

[583] 582 Entrance into marriage is dependant on the payment of a kalym /bride price/ but not on the majority of the groom and the bride. (1)

1. Among the Alai Kirgiz the betrothal is most often settled when the boy is a year old, and rarely at a mature age. Communication of Grombchevskii. Matchmaking can take place also before the birth of a child.

The rich usually marry their sons when they are 12 to 15 years old, the poor much later, for example at 30 (Perovsk uyezd). In the

584 The matchmaking can be from both sides (karsyma karsy kuda bulmyk, atastyrmak), in which case neither side pays a kalym.

/61/ The brothers of the father refuse to support their nephews in paying the kalyms of the latter (kalynmalga kosady). For the son of a poor but respected man the group of fifty or the village arranges a collection for the kalym (yurttyk kylyb yardam tigizedi). Here everyone gives as much as he wishes.

583 The choice of the groom by the bride does happen, but without the payment of a kalym (Perovsk uyezd). Earlier this did not happen, according to the report of bii Umurbek of the Auliye-Ata uyezd. Now there are cases where the girl flees to the choice of her heart against the will of the father (erksiz). After this her chosen husband can be compelled to pay the kalym and a fine.

The man guilty of carrying away the bride appears before her father with gifts (tartu tartib), asking forgiveness by saying: "Forgive me. I too am your son" (menen utingiz, mende balangiz). These gifts do not oblige the girl's father to refuse the kalym. According to Absaiyamov of the Chimkent uyezd, the groom must pay a double kalym as a punishment.

584 The story of Karabai and Sarybai, who entered into matchmaking before the birth of their children, is confirmation of the sacredness of the betrothal. Sarybai died. Karabai did not wish to marry his daughter Bayan-Sulu to an orphan, and he travelled away with his herds and married her to Kodarkul. The son of Sarybai, Kazykurpish, came to Bayan-Sulu, and hid with her in a trunk, but his long hair(1)

1. Long hair for men is referred to in magic tales.

which hung outside betrayed him. Karabai's family spared his life, but Kodarkul killed him. Later on he himself was killed by the hand of Bayan-Sulu.

The Kirgiz do not determine the amount of the kalym at the betrothal. At the beginning they give 2-3 animals, and thereafter 1-2 animals annually. Only on the "ui dzhany kylgan" visit does the girl's father ask the groom for the first time: "How much more will you pay? You specify it. What went before does not count" (burungy mal isebsiz, inde kancha beresin? uzing bil'). Then the amount of the bride price is determined. If it is difficult to pay the designated sum after this, the parents of the groom, with /62/ other relatives, take a slaughtered animal to the tent of the girl's father. On the question of those who encounter them: "Where are you going?"

affiliation.

/76/ Among the Kirgiz, the bride is seated behind the curtain at the groom's father's. The yenge says: "pay for a look" (kurumdigin ber). Those who like her give her something. The bride in the "large house" (chung uide), that is, in the house of the groom's father, greets the groom's father and mother and throws fat in the fire with the words: "May God have mercy on you. May the animal join you from behind. May children join you from in front. May the years of your life be long, both yours and the groom's". (1) In answer to this the groom's father

1. Ak yalgasyn! Artingdy mal bassyn, aldyngdy bala bassyn! Kuyauing ukeauing umri yashi bulsyn!

and mother pronounce a blessing (bata).

/77/ CHAPTER VI.

Kalym. - Number of wives. - The marriage of a widow. - Divorce. - Akymar. - The children of widows and divorced people. - The position of women. - The illegitimate children. - Birth and designation of names.

The payment for the bride or kalym (kalyn, kalyn mal) goes to the use of the person who reared her and married her, i. e., her father, kinsman, guardian, etc. The extent of the kalym differs greatly between rich and poor, and between beautiful and unattractive brides. (1) A larger kalym is demanded for a girl from widowers, than

1. They offered a deaf and dumb girl in Tashkent for 5 cows.

from men entering their first marriage. After the payment of the kalym, the groom still provides the toymal and the elyu before the day of the wedding. The bride's father adds the same amount himself to the toymal he receives, and from this he arranges the wedding feast and buys the wedding couple a tent, rugs, blankets, a fur coat, the bridal headdress, utensils, clothing and other parts of the dowry.

The elyu is an animal to carry the tent and the entire dowry.

The kalyms of the Perovsk uyezd, according to bii Mikebai Sultanaev,, consist of the following divisions:

/78/ Names of divisions	Kalym of the rich "forty-seven"(1) (kyrk yete)	Kalym of prosperous, with the same name (ekinchi kyrk yete).	Kalym of poor "thirty-seven (otuz yete).

1. This means 47 three year old mares, cf. Makovetskii, Pt. I, p. 5. In the Semipalatinsk oblast kalyms of 47, 37, 27, and 17 are used. Although the Kazakhs in the Turkestan area also remember kyrk yete in the sense of 47, the grammar permits another translation: "forty sevens".

Karamal	60 saulyk, 60 tokty } 500 rubles	40 saulyk 40 tokty	30 saulyk (pregnant ewe) 30 tokty (year old sheep).
Bash yakhaysy	60 tusak (barren ewe)	40 tusak	1 camel 1 horse
Yanama yakhsysy	1 camel 1 horse	1 camel	1 horse
Yeketu biye	1 mare in foal	1 mare in foal	1 kunan (three year old animal).
Tusat	1 horse	1 colt (tai)	1 tokty
Kalyntyuya	1 camel	1 camel	1 tailak (two year old camel)
Sutakky (2)	1 camel	1 camel	1 horse, 1 coat.

2. Sutakky have already been mentioned among the voluntary gifts of the groom to the women.

/79/ Elyu	Toymal	100 sheep 10 camels for a new tent 20-30 horses for the furnishings, etc.	In the same proportion but less	Very little, or not at all.

583

Not all these divisions exist now. If they do exist in some places, the bride's father gives them out, especially the bash yakhsysy, in the form of gifts after the matchmaking (kiit), together with other gifts, consisting of clothing and food.

The smallest of kalym in the Perovsk uyezd is dzhiirme dzhesti, i. e., 27 heads of animals.

The special form of kalym called "tomalak kalyn" is arrived at by mutual agreement, which determines the total sum of animals or money as though at a sale. (1) With this there is no toymal or elyu.

1. In the Perovsk uyezd, someone gave 1500 rubles in money.

In the Auliye-Ata uyezd there are the following kalyms:

1) According to Abdrakhman:

Names of divisions	Rich	Poor
Karamel	8 kukundi biye	8 kulundi biye (mare with colt)
	12 buidak (two year old sheep).	2 saiyak (gelding, barren mare).
Yeketu biye	2 horses	
Tusat	1 horse	nothing
Kshi at	1 horse	
/80/ Ul'kun yetim (1)	120 sheep	nothing

1. Ul'kun yetim "the great prisoner" means the captive or the child of a captive woman which was given in former times in payment of the kalym. They gave 5 camels in place of a captive.

Kshi yetim (2)	3 camels (of which one female pregnant or with baby camel).	nothing

2. Kshi yetim "small captive" was substituted for by 4 camels.

Toymal	Undefined (kesimsiz)	nothing
Elyu	"	"
Gifts (kiit) from bride's father	100 tillias /ca. 300 to 400 rubles/.	"

2) According to Kunakbai:

Names of divisions	Former kalym among the rich	Present kalym	Among the poorest
Karamel	8 kukundi biye 12 buidak	8 kulundi biye	atbastagan toguz.
Bas yakhsysy	5 camels	1 camel	"
Ayak yakhsysy	3 camels		"
Toymal	9 mares 50 tillias	Appoximately 20 tillias /ca. 60-80 rubles/	"
Elyu	As many camels as the bride's father has wives.		
/81/ Yirtich (adras, bikasam /striped silk/, chintz etc. given out as kerchiefs to women at wedding)	Approximately 20 tillias /60-80 rubles/	Approximately 10 tillias /30-40 rubles/	Atbastagan toguz.

3) According to a third report:

Names of divisions	Among the rich	Among the prosperous	Among the poor
Karamel	80 saulyk 40 buidak	8 mares with foals	30 saulyk 30 buidak
Yakhsysy or rekara (large animals)	12 camels and 4 horses	2 camels and 4 saiyak (horses of various ages)	2 camels and 1 horse (or less, depending on means).
Toymal	20 horses	3-4 horses	1 animal.

4:Grodekov--72 E-5 (ca 1885) 1889 RQ2 Kazak RQ2

583 According to bii Khalmakhammed of the Chimkent uyezd, the kalym with the toymal etc., consists, as far as he knows of the following categories:

Kalym of the rich "47" (kyrk yete):	The "37"(otuz yete), which is usually with the agreement of the bride's father, when the kyrk yete has been agreed upon, but they cannot pay it:	Kalym of the poor:
Gifts of kiit, approximately 400 rubles.	Kiit approximately 2 tillias /6 to 8 rubles/	
8 kulundi biye (mares in foal); of these 4 can be replaced by 60 sheep.	8 kulunde biye.	7 kulundi biye(of which 3 can be replaced by 1 good horse or camel).
/82/ 12 buidak zhylky (not old enough to sire foals, i. e., 2-4 years old)	6 buidak zhylky or 4 buidak zhylky, 1 yeletube tyuya, 1 yanam at.	2 buidak zhylky.

Six of these can be replaced by 30 sheep. Among the remaining 6 horses there is usually: tusat, i. e., a good horse, which the receiver will point to himself (tus salady); kshi at, "small horse", i. e., 4 year old; dzhanamat, "other horse", a good horse; yeketubie - 1 mare; yeletube tyuya, "camel tied to rope with running noose", a camel of medium value; some do not give yeletube tyuya. Ul'kun yetim or "bas yetim" - 120 sheep.

Kshi yetim - 5 camels Toymal (1) - ca. 400 rubles	Toymal - ca. 20 tillias /ca. 60 to 80 rubles/	The groom gives the bride clothing and transports her to his dwelling.

1. The toymal and the iu yirtis is returned by the bride's father in the form of the dowry.

Ui uirtis (cloth to be given away) Ca. 60 tillias (228 rubles) or less	Ui yirtis - 10 to 15 tillias /ca. 30-45 rubles/	
Elyu - 1 camel or 1 horse apiece to each wife of the bride's father, and 1 camel to his father (not obligatory, this is within the kiim).	Elyu - as in the kyrk yete column.	Elyu - a camel or horse if possible; otherwise they depart on foot or on a horse lent by acquaintances.
/83/ Bosaga elyu - "for the right to cross the threshold", 1 camel. For the arrangement of the feast - about 1 1/2 batmans /432 lbs. or more/ of dried apricots kishmish /seedless grapes or raisins/ on a camel, which is returned if the animal was not the elyu tyuya. To be slaughtered for the feast - 2 fattened mares. Prizes for kukubure and baigas.	Bosaga elyu - a foal etc. in a smaller amount.	

The matchmakers do not make an agreement on the amount of the toymal. It depends on the degree of solvency of the groom at

583

the time of the wedding. The groom gives tillias and receives from the bride's father horses, camels, rugs, blankets, fur coats, clothing of all sorts, a samovar, in a word, complete equipment, which is called yagal. Among these objects it is necessary to mention the dzhelek', a wrap of red material which the newly married woman wears for a full year, and the saukale.

Among the Kirgiz manaps, the kalym formerly consisted of 100 horses, but now is 30 to 40 animals (kara). Among the simple Kirgiz, a kalym for a beautiful bride consists of 15 to 17 animals (kara), and 9-10 animals among the poor. The toymal is usual only among the rich Kirgiz, and then only in a small amount, for among them it is not customary to give gifts of things (yasau). They give only a tent, a rug, and a coat in the dowry, and formerly they gave th the shaukale in addition. They seat the bride on a horse, and pack the entire dowry on one camel. Therefore there is also no elyu. (Communication of bii Kurpetai Dauletkulov).

/84/ According to the report of the manpa mullah Asan Dzhangeldin, the size of the kalym was formerly indefinite. Now the rich rarely pay up to 100 heads (kara) of various animals (andai diger). The usual kalym is not over 9 heads or 100 tillias /ca. 300 -400 rubles/. Among these 9 there are usually 1 camel, 4 horses and 4 cows, and among the poor 1 camel and 8 small animals (sheep and goats). The poorest give a tokaltoguz, in the sense of a toguz without a camel (1), namely: 1 horse, 1 bishti (2), 1 kunan, 1 tillia,

1. Tokaltoguz also signifies a toguz of things, without animals.

2. This is the name for a horse 3-4 years old among the Kirgiz.

taiturpak (sucking calf), 1 sheep and 1 goat. Among them no tents are given or draught animals. The wedding couple departs on foot.

In Tashkent the kalym given by the rich is 12 kara (3), while

3. Kara is "black animal", i. e., one animal. In the Auliye - Ata uyezd it is equal to 3 ewes with 3 lambs.

people of the middle class give 10 kara, and the pooe give 9 kara. With this the toymal consists of 20, 15, and 10 tillias, or else only of 8, 7, and 6 tillias. At the wedding the bride's father gives 1 sogum (bull) for the regalement, and 2 kids for the kukbure. The elyu equals 5 tillias, 4 tillias or 1 horse and 3 tillias.

583

For kidnapping the bride before the full payment of the kalym, from 1 to 3 toguz are exacted in addition to the kalym.

The groom sends one or several animals every year on the account of the kalym, animals which have been raised at home or bought for money he has earned. The bride waits from 12 to 20 years for the full payment but no longer.

If after this the groom acknowledges that he is unable to pay it all, they either forgive the remaining amount and marry the daughter to him, or keep another daughter for him who is younger and can still wait, and marry the other one to another. In extreme cases they give the groom back what has been received from him.

595

According to the Shariat, it is impossible to have more than four wives at the same time. The customary law does not limit the number of wives, for a wife is only a female, urgashi isebinde. /Inserted page. Picture. Caption: Old Kirgiz woman of the Perovsk uyezd./ /85/ The man who has more than four wives lives conjugally only with the four married latest in time. The others become sufi, abstinent, and do not have marital relations (yatpeydi).

According to customary law, the husband of four wives should spend the night with each one in order. She whose turn it is to spend the night with him cooks the food. When there is a disagreement among the wives, the bii divides the dwelling quarters, all the utensils and even the animals (making earmarks) according to the number of wives. If one of them dies without children, the things entrusted to her are divided among the remaining wives (Perovsk uyezd).

The younger wives (tokal, or, more politely, kshi khatyn) show special respect to the oldest wife (baybishe). Otherwise they are all alike. The children of all the wives now have equal rights. [567] The children of slave women were without rights.

According to Umurbek, the baybishe can give orders to the younger wives and their children, if the latter are not greatly loved by the husband. If the children of the tokal are cleverer than the children of the baybishe, then they give them orders.

The agreement of the wives already married is not demanded for marrying another. They weep and wail (yilab syktab yuredi). Their displeasure is expressed in the words: did I not bear you a child, etc. According to another report, they do ask the agreement of the wives.

765

The period of mourning of the widow (idda) lasts 40 days, according to the opinion of some biis, and according to other reports, 4 months and 10 days (for the childless 3 months). A widow or divorcee

587

[Not reproduced -- A.]

X 648 765 [216 cont.]

with Nurali to make a definitive agreement [216] on the building of the funeral monument, reported that in order to dissuade their khan from approaching the Russian border, the Kazaks reminded him of the conquest of Kazan and Astrakhan and assured him that if the former nomadic residents of these cities had not settled at a fixed place their descendants would still be free today.

time was unable to give a positive answer. As for the site where Abulkhair had been buried, it lacked stone, lime, and construction timber. While these parleys were taking place, more important matters came up in the horde, and the desire felt by the Russian government to satisfy the request of Abulkhair's family grew weaker with time and circumstances. The map and the façade of the funeral monument made by the engineer and sent to Nurali are still preserved in the Orenburg archives though never executed.

X 648 [567] To the Khan's joy, Empress Elizabeth's cabinet and the border authorities at Orenburg claimed only one service. This was to give up the Russians who were languishing as slaves of the Kazaks, and he was sent a special letter patent to this effect from St. Petersburg. Nurali and his brothers pledged themselves to satisfy this most just request, but to do so was beyond the limits of their weak power, and the promise was without effect, like the hundreds or even thousands of similar demands and obligations repeated to this day by the border commanders. Nurali had scarcely returned to the auls from Orenburg when he received [584] ambassadors from the Djungarian kungtaidji, who had come in [583] accordance with the proposal made by his father before his death to ask for his sister in marriage for their sovereign, and [662] promised him the town of Turkestan in lieu of kalym /bride [584] price/. It was difficult for him to form this alliance while

614 622 /216 cont./ is the most honored and respected person, whose decision is equal in power to the judgment of a biy. The father occupies the central position in the family. 59 He is the full and absolute master, while the woman and children are in the position of servants. The conditions of life place the woman considerably higher, however, than she would have to be juridically. In fact she is the main head of the house, since on her shoulders lies the raising of the children, the preparation of food and clothing, going out for the livestock near the village, the making of articles for domestic use, the setting up of the dwelling (yurt) and keeping it in order, etc. In general she takes a large part and even the major part in all the household affairs of the family, and by this very fact she emerges from the unenviable position in which she is placed by law. According to the law, she is the simple property of her [968] [978] husband, and after his death she comes into the possession of the brother or family of her husband (this last, however, has already begun to go out of usage).

000 We shall say a few words about the principal rituals of the Kirghiz /Kazak/.

581 Among the Kirghiz /Kazak/ marriage can never be considered a sacrament or sacred ritual as it is, for example, among us. Among them it is a civil arrangement. Modern marriages are arranged primarily on the basis of such considerations as becoming allied with a clan that is rich in land, or with a clan that is influential in elections, or, finally, to improve the household by means of the bride-money /kalym/. On these bases the personal participation of the groom and bride becomes superfluous, and an agreement is possible while they, the groom and bride, ● 583 are still in the cradle. In former times the bride-money was of two types -- the sultan type and the Kirghiz /Kazak/ type. The former /217/ consisted of 47 head of various kinds of livestock (camels, horses, cows, and smaller animals), and the latter of 37 head of the same livestock. The entire clan of the bride took part in raising the bride-money, and the entire clan [978] of the groom shared in receiving it. Now only the father of the bride takes part in providing the bride-money, for which reason its size has begun to vary greatly. /The author's further remarks

/217 cont./
583 about the bride-money indicate that the groom's side pays it and
[556] the bride's side receives it. /ñ Among the rich it goes up to 300 head, while among the poor it can happen that they give only one cow.

585 The wedding is made up of the following elements: the agreement and the processions of the parents, the groom's visit to the bride, the journey of the bride to the groom, and the prayer of the mullah. All this is arranged with various ceremonies and especially with gifts. /Illustration appears here./

585 After an unofficial agreement has been reached, the father
574 of the groom, with his rich and most illustrious kinsmen, rides to the parents of the bride. The guests are taken care of by the female relatives of the bride, who serve and look after the new arrivals. The latter must "buy themselves off" with gifts or witty conversation. If this is not forthcoming, the guests are threatened not only with mockery, but also danger. The women forcibly dress such guests in women's clothing, bathe them fully clothed in water, shave their moustaches and beards, harness them to vehicles, tie them to turning wheels, etc. All this is done
585 in the sight of the whole village. The father of the bride
[262] regales those who are present with the tastiest dish -- "kuyryuk-baur" (the best parts of the horse, fat-tail sheep fat, and liver, all covered with a sauce made of sheep's cheese /kurt/, called "zuzduk"). To eat this dish means to tie the first bridal knot.

/218/ After this visit, the father and kinsmen of the bride ride to the groom's father for the receipt of the bride-money or
[574] most of it. The arrival is accompanied by a small feast. When they depart the groom sends "uletry" to the village of the bride, which is horsemeat or other meat as a gift to the women of the village.

After the agreement and the payment of the bride-money, the groom receives the right to visit the bride. These visits have an essential importance, being the beginning of the mar-
[583] riage. Thus, in case of the death of the groom or bride after

/218 cont./

585 [583] they have had a rendezvous, all the bride-money is not returned, but only half, while before these rendezvous have taken place only a small part is withheld. If the groom thinks of marrying the sister of the bride after he has been with the bride, then he is obliged to pay a new portion of the bride-money. /Illustration appears here./ These visits must be innocent in character. If the bride is shown to be pregnant, it is considered a disgrace for

692
291
516

A meeting for the election of the volost biy on the steppe.

585 her and all her clan. The first visit of the groom is made with a quantity of gifts, and he is accompanied by his friends. A holiday is declared in the bride's father's yurt. The bride herself goes to the tent of her closest kinsman, in order to avoid the meeting. At night the comrades of the groom and the assembled women of the village appear at the kinsman's yurt, where they try to kidnap the bride during the feast. A struggle takes place between two parties -- the bride's and the groom's. The latter almost always wins, and the bride is carried on a rug to her father's yurt (this event is called "kyz kashar" -- the flight of the maiden).

595 Traditionally, the Kazakh was permitted to have more than one wife. However, very few men were able to afford the expense involved, because [583] marriage required large payments by the family of the groom to the family of the bride. For those who could afford it, the possession of many [554] wives meant an increase in prestige and status. Sometimes a man took another wife because he had not had any sons by the first wife. But in general, even though plural wives were permitted, such marriages were few in number. In 1926, only 104.5 women were reported as married [167] per 100 married men, exclusive of widows and divorcees. In Tsarist times the number was not much larger. At present polygamy is forbidden by law. Nevertheless, it is stubbornly maintained by the Kazakhs, [648] and cases are constantly being reported and denounced in the Soviet press. It is still a matter of status and prestige; the bulk of the polygamous marriages [554] reported today involve men of high position in Soviet life, such as Kazakhs who are presidents of collective farms.

233 The Kazakh herds are composed of sheep, goats, cattle, horses, and 221 camels, usually in that numerical order. Herds cannot be maintained through the entire year in one place, because the grass on the steppes is not rich enough to support them. They must move from month to month and from season to season. However, there are too many herdsmen and not enough steppeland to permit indiscriminate wandering. The usual pattern is for a nomadic camp to set up winter quarters where many smaller herding groups come together for religious and economic purposes. Here they store their hay through the winter to feed the livestock, and put up windbreaks against the winter storms. In the early spring they disperse into smaller herding groups of a few families each, and proceed over traditionally fixed grazing routes to the summer camp which they occupy until early fall. Nomadism is a fixed annual round of movement, not a haphazard one.

166 The 1926 census reported that 5.6 per cent of the Kazakh males had established residence outside the district in which they had been born. The comparable figure for women was 20 per cent. The explanation for 591 this difference lies in the marriage customs, under which a Kazakh woman traditionally moves to her husband's family residence. It is almost unheard of for a man to move to the home of his wife's kin or for both to move together to a new residence. Most of the marriages involved a woman's moving only a short distance to her husband's family. But at least a fifth of the women had to move away from their native [584] districts; this usually meant that the marriage had been arranged for them at some distance from their birthplaces.

No significant changes in Kazakh life had taken place by the time 177 the first Soviet census was taken in 1926. The first few years of Soviet- 648 ization had left the Kazakhs more or less untouched. Their economic life, their family life, and the traditional organization of their society had changed only externally. They had come under the unified rule of Moscow instead of continuing their own loose social groupings, but Moscow had not yet begun the transformation of Kazakh life, nor had the Kazakhs yet faced the problems involved in accommodating to or resisting Soviet influence.

593 she is physically a part of her paternal family but socially, spiritually,
562 she is already on her way to join her husband. Among the Turks of
[589] the eighth century, a man could sell his daughter, provided she was neither betrothed nor married, if he could not otherwise pay the sum levied against him for a crime. These ancient Turks could not sell their wives, but could make seizure in such a case—but only such an extreme case—on the dowry which the wife had brought with her.

562 Yet a woman is not without rights among the Kazakhs. There is a considerable progression in her social status and personal rights when she advances from an unmarried to a married state, a progression which was true for the ancient Turks as well as for the Kazakhs, their descendants.[1] The modern unmarried Kazakh girl has no property, but on betrothal and marriage she obtains certain property rights. The [583] married woman receives her dowry which she, not her husband, controls. She may reserve it from her husband's estate and make provision for [595] its distribution among her own children, to prevent children of her husband by another wife from falling heir to her property.[2]

[583] The ethnographer Karutz comments that although a woman's family receives a certain amount of bridewealth from her husband's family on their marriage, this bridewealth is hardly commensurate with the cost and care of her upbringing.[3] (For poor Kazakhs bride-service, in which the youth works for the wife's father for a term, may take the place of payment of the bridewealth, but this is not the usual pattern.) One gains the impression that a girl prior to marriage is barely tolerated in her [593] parental home. She is there on sufferance until the day she marries and moves to her husband's home. A woman is a temporary resident in her father's home, a permanent resident in her husband's home. And the long-established member of the Kazakh community, especially if she is a woman, has a position which the newcomer does not. The mother-in-[606] law has superiority over the son's wife.

[554] A woman advances in status when she marries; she advances still further when she bears a son. The marriage arrangement between two Kazakh families is in the nature of a contract, the purpose of which is 584 the passage of a woman from one line to bear sons for another.[4] The 562 terms of the marriage "contract" involve a complex series of exchanges; bridewealth is paid by the boy's family to that of the girl, or bride-service is performed by the groom for the bride's father, a dowry is stipulated, and feasts and sumptuous gifts are exchanged between the families in as many as seven ceremonies. The riches of the exchanges [554] vary according to the wealth and status of the families. Among rich families, each tries to outdo the other in outlay; among the families of moderate wealth, traditionally fixed sums are exchanged; among the poor, the marriage takes place merely through the exchange of a sheep or a kid.[5]

[1] Ilichwin, 1950.
[2] Izvestaev, 1897, pp. 67-70.
[3] Karutz (72), 1911, p. 100.
[4] Krader (78), doctoral dissertation, 1953, ch. 6.
[5] Karutz (73), 1910, p. 38.

596 The family estate was not communal family property in the usual sense, nor can the paterfamilias be regarded as the owner of the family estate which he controlled. The family estate, both the physical and the intangible wealth, was an estate held in trust, and this definition fits the conception of the family (and the lineage) as a corporate structure.

Inheritance in the Great Horde

428 Properly speaking, only a small proportion of the family physical property was transmitted on the death of the father. Prior to his death, his sons, with the exception of the youngest son, had allotments made over to them of various kinds. In the normal course, these sons would have had a tent or yurt set up for them by the father,[106] which was generally done on marriage, but sometimes earlier, when they came of age; these two events, of course, might also be simultaneous. Thus, [884] youths among the Kazakhs were generally regarded as coming of age between their twelfth and fifteenth years; among those who could afford it, the marriage likewise [583] took place at or about this time.[107] The father likewise paid the kalym or bridewealth for these sons; and he gen-

[106] Radloff, Aus Sibirien, I, 477.

[107] Dingelstedt, 153; Izraatsov, 72.

[Great Horde]

49 58 lamaist faith for Islam. But where a marriage took place between the two groups, the same rules obtained, covering the taboo on sororal polygyny, etc., as among the Kazakhs [587] themselves. At that earlier time, the 1830's, on the death of a man, the brother who survived him had the right to marry one of the wives of the deceased.[127] In these earlier rules, or version of the same rules, the levirate was not automatic, but optional, a formulation which is stronger than Grodekov, but weaker than Radlov.

•583 The marriage arrangements were centered around the payment of the kalym or bridewealth by the family of the groom to the father of the bride. The payment of the bridewealth is the one irrecusable obligation of the father to the son; the son cannot be deprived of this, even with the worst of wills on the part of the father. It is the family of the groom which contributes to the kalym, moreover, and not merely the father. In a word, it is the groom's cognatic kin, and not his agnatic kin alone, who support him in this burden: his father, his brothers, his father's brothers--his agnatic kinsmen--and also his mother's brother.

The marriage arrangements were opened by an exchange of pact-binding gifts between representatives of the groom and those of the bride, followed by a discussion

---

[127] Levchine, op. cit., 364.

of the terms of the kalym and the period of its payment.[128] A trait of steppe marriage arrangements is found among the Kazakhs of the Great Horde, whereby the go-between, usually a close kinsman or a close friend of the bridegroom's family initiates the negotiations.[129] There is a general taboo on seeing the bride before the marriage, or at least before the betrothal.

The kalym was a great undertaking and it usually amounted to a major portion of the patrimony of a man; hence the existence of a system whereby kinsmen outside the immediate family itself could be called on for support. Typical sums made over in a kalym were seven sevens of livestock of various descriptions, or nine nines.[130] On the other hand, there was no discussion of the amount of the kalym in a marriage between rich Kazakh families, which was matched by the dowry: it was a matter of prestige to exchange enormous amounts of livestock, each family seeking to outdo the other in the sumptuousness of the exchange.[131] Friends likewise did not debate the amount of the kalym in the marriage between their offspring. Poor families likewise did not discuss the

---

[128] Izrastsov, 72.

[129] Ibid., 73.

[130] Radloff, op. cit., I, 476.

[131] Izrastsov, 73-74.

[Great Horde]

amount of the kalym, for usually very little bridewealth or wealth of any kind was exchanged in such marriages.

A common form of marriage arrangement was an exchange of daughters between or among families. These exchanges were of two kinds, one called uǒ urai, and the other called karsy. Let us consider the type called uǒ urai first. This was a marriage arrangement among three families, in which family A by agreement gave a daughter in marriage to a son of family B, which in turn gave a daughter in marriage to a son of family C, which gave a daughter in marriage to a son of family A. These circular marital arrangements, while not as universal as among the Gilyak, or as complex as among the Kachin, were at least widely enough known to obtain a specific appellation, uǒ urai. The second kind of exchange of daughters was called karsy, and was a simple exchange of daughters between two families. Such arrangements took place while the children were still minors, and were in many instances infant betrothals.[132]

These forms of marriage arrangement were, however, not the norm, which centered around the kalym. When the greater part of the kalym was paid, the groom acquired the right to visit the bride, who during this period still continued to dwell with her father; and the groom

[132] Izraztsov, 74.

[Great Horde]

rejoicing and celebration, while if it was a girl, no celebration at all took place.[136]

The wife never ceased to maintain a significant relationship with her father's family, and she was never fully incorporated as a member of her husband's lineage and family. The fire ceremonial may be regarded in the same light as it is elsewhere on the steppe; its function is a propitiation by the wife of the spirits of the husband's line, a part of the shamanist religion, in which her spirits were antipathetic to his. Sociologically as well as religiously, moreover, the wife continued to retain her ties to her father's line. Thus if the husband killed his wife, he had to pay a fine of a full kun of 200 horses, the amount paid by a convicted murderer in restitution to the family of the victim.[137] If the wife committed suicide because of her husband's maltreatment, the husband paid half a kun, or 100 horses, to her family.[138]

The social position of the wife may be further clarified by an examination of the kalym. If this were an economic and legal transaction pure and simple, her position would be clear: she would have to be regarded as a res or chattel, and kalym could then be translated as

---

[136] Radloff, op. cit., I, 475-477.

[137] Izrantsov, 67.

[138] Ibid., 93.

562 brideprice. But she was in fact not a res, an instru-
• 578 mentum, there was no question of the husband's having
581 dominium over her, the power of the Roman master over
his slave.[139] The marriage arrangements, the exchange
of gifts, the supplying of the dowry to the wife, the
payment of the kalym, may be regarded as stipulations in
a contract for the services of the wife necessary to keep
the husband's line alive. The terms of the contract,
understood in an analogical sense, were fulfilled on the
birth of a son; hence the rise in status of the woman
when she had borne a son, rather, her accession to full
status as a woman.

583 The wife's dowry varied according to the ability of
584 her father to supply her with one. The rich Kazakh sup-
plied his daughter with a sumptuous dowry, which the
family's prestige required to be the equal of the hus-
band's kalym. A Kazakh of middle means was capable of
supplying only a modest dowry, which in general was less
than the kalym; the poor Kazakh supplied his daughter
with no dowry, and received little or no kalym in exchange.[140]
[591] Both kalym and dowry were part of an intricate exchange
pattern which accompanied the movement of a woman from
one community to another; her movement was in conformity
with the rule of patrilocal residence on marriage.

---

[139] H. Maine, Ancient Law, 90-91.

[140] Izraatsov, 82.

[Great Horde]

583 Bride abduction from another Kazakh family was
582 rare, especially against the will of the girl. On the other hand, it was not unusual to steal women from the Kalmuks and the Kara-Kirgis, for whom there was a flourishing market, since the price for these women was less than the kalym.[148] However, women abducted and married by the Kazakhs of the Great Horde had little if any difference in status from Kazakh women; they retained their own religion without infringement, and occupied the same legal and economic position in the family; nevertheless, non-Kazakh women had no consanguines to turn to. The legal personality of the wife could never rise to that of the husband, however: for example, she could not bear witness in the adjudication of disputes, nor could she take an oath.[149] The exclusion of wives from the legal
671 process may be accounted for in the following manner:
672 the judicial process rested on the support which a bii
683 could give to his kinsmen in dispute with other kin groups; that is, the bii's[1] jurisdiction was his patrilineal descent group. The law in general was a matter of normative adjustment and balance between or among three agnatically related kin groupings. We have further seen that a wife never fully joined her husband's patri-

---

[148] Ibid., 81, 91.

[149] Ibid., 88.

[1] [on the bii or "elder," cf. Cat. 116, AHI Mongolia, pp. 411-412 -- Analyst]

[Little Horde]

583 The kalym was typically the value of forty-seven horses, 536a figure often encountered elsewhere in the Kazakh hordes, close to Radlov's figure of seven sevens. Alternately, the typical kalym might be fifty horses, or the equivalent in the Little Horde.[193] All these figures agree closely. On the other hand, a rich Kazakh of the Little Horde generally paid twice or even three times that amount in the kalym for a first-class marriage, while a marriage of slightly lesser éclat might involve a kalym of from 75 to 100 horses or the equivalent. Finally, a poor Kazakh might pay as little as ten horses for his kalym.[194]

523 The family of the bride undertook to give the girl a dowry on her marriage, and that property which she brought with her was called kiit.[195] On the other hand, a certain sum was given by the family of the groom to the family of the bride, "for the adornment of the daughter-in-law"--bas dzaksa.[196] The value of the wealth exchanged in these various arrangements was always greater on the side of the husband's family than on the side of the wife's. The wife-receivers had to pay doubly, to the wife's family, and to the wife herself for her

---

[193] Altynsarin, 104.

[194] Balliuzek, 78.

[195] Karutz, op. cit., 38.

[196] Altynsarin, 104.

Little Horde]

583 adornment, but the girl left her natal aul and family, and was lost to them economically, while the young man remained with his family.[197]

583 But this explanation is still insufficient, because it ignores what is expected of the wife: not only her 581 economic power, but her capacity to produce children, and specifically sons. The transaction involving wealth in exchange for bride is not accounted an equal transaction, because the Kazakh family still placed a higher value on male than female children, as the author who proposed the above explanation himself reports.[198] The levirate, the attitude toward the widow and the children, as well as the simple value placed on a male child, all point to the interpretation of the marriage among the Asiatic steppe pastoralists as a contract for the services of the wife for the production of male issue.

584 If a girl died while still only betrothed, the father of the girl was obliged to find a substitute, a sister or other junior kinswoman, or else return the kalym or that part of it which had already been made over to him. If the affianced boy and his family refused a marriage with a younger sister of the deceased girl, they forfeited the kalym which they had already

---

[197] Karutz, Unter Kirgisen, 100.

[198] Ibid., 101.

1/1 [Cf. cat. 583, p. 477-478. - Analyst]

[Little Horde]

583 If a man really abducted a daughter from her family, his family was required either to furnish a daughter in exchange from its own midst or from among the closely related families, or to pay a full kalym for her. If the girl herself was returned after the abduction, an indemnity was imposed on the family of the abductor, since the girl could no longer command a full kalym.[202] Abduction for cause, however, such as delay in surrendering the bride after the kalym had been paid in full, could not be punished.[203] The requirement of the full kalym for an abduction was in itself a kind of imposition of an indemnity, for it placed a great economic burden on a family which ordinarily demanded years to get rid of, an indemnity which in the case of an unlawful abduction had to be paid in a short term.

596 602 From the data on the payment of the kalym,[1] it may be seen that the family was patriarchal in authority, patrilineal in descent, and patrilocal in residence. There is a certain amount of evidence that the family of the groom paid a psychic capital in the form of prestige and respect to the family of the bride, in addition to the material goods which exchanged hands. The taboo on face-to-face contact between the youth and his pro-

---

[202] Balliusek, 82.

[203] Ibid., 79-80.

1 [Cf. especially, Cat. 116, AHI Mongolia, p. 477ff. -- Analyst]

three and eight tents.[286] The Kazakh of moderate means could afford to have only one wife; but there were those who were without families at all, and these were the very poor.[287]

The relationship between wealth and family composition was intermediated by the continued existence of the kalym.[1] But there was also a relationship between consanguinity and affinity, because a man's kin contributed to the payment of the required bridewealth;[288] if he had no consanguineal kin and no wealth of his own, he might even go unmarried. Thus we may observe, on yet another level, the inter-functioning of patrilineality, marriage, and wealth.

The bride on her part brought as her dowry a tent and household goods, as well as livestock to her husband. The dowry, however, was not fully integrated into the family estate, i.e., the husband's patrimony, for, in Kazakh customary law, the husband could not dispose of the wife's dowry without her agreement.[289] And in this we have a line of continuity from the earliest records of the Turks of the 6th to 8th centuries, A.D., into the

---

[286] Ibid., 54.

[287] Ibid., 67.

[288] Idem.

[289] Idem.

[1] [i.e. in the 1920's; cf. cat. 116, AHI Mongolia, p. 244ff. -- Analyst]

[Soviet Era]

583 422 Soviet era. The Orkhon and Yenisei Turks of that early time likewise distinguished between the husband's estate and the dowry of the wife such that the husband could seize it only in payment of a fine; short of such a contingency, the dotal property was in a separate category.

58 Betrothals were arranged while the children were not yet of age, subject to the supreme authority of the family head. The junior levirate not infrequently caused a boy of eight or nine years to be married to a mature woman. On the other hand, girls might be married before puberty.[290] A wife on taking up residence in her Hu Fa aul underwent a change in status symbolized by a new soubriquet which generally signified whether she was pretty, clever, sympathetic, etc.[291] The new name thus emphasized the discontinuity in her social being, but at the same time appears to have been oriented toward positive or praiseworthy attributes in a woman.

663] 428 The inheritance complex involving primogeniture, equitable apportionment and ultimogeniture continued in force. Thus paternal authority passed in the line of the eldest sons, and with it as a rule the totality of the incorporeal property, in such titles, ranks, honors, prestige as the Soviet era still permitted.

---

[290] Ibid., 48.

[291] Ibid., 59.

8:Kostenko -27-G-4,5(1868-80)1880 RL1 Turkestan KazaKRQ2

584 Marriage. Usually the Kazakhs, especially
581 the wealthy ones, betrothe their children when still very young, that is, not asking their consent, and for the most part they have in view equality of wealth and not equal age. In
585 general, Kazakh marriage has much in common
581 with a civil contract, of course within the crude concepts of this people; the religious element here is only very weakly developed.
584 The most important stages of the marriage are
583 the following ones. Whether the children were betrothed earlier or not, the match-making begins with gifts from the groom's side to the bride's father, and the latter on his part is obliged to reciprocate with gifts to the groom's kinsmen who have brought the gifts. These gifts are called 'kiet'. Meanwhile, if there has been no earlier agreement, the father of the bride, assembling his kinsmen, decides by general council the amount to be paid for the bride, called 'kalym', and the terms of its payment. The kalym may be 120,60 and 40 sheep, depending on the wealth of the families. In addition to the kalym, however, the groom must give 'bas' and ' ayak-yakhshi' (a good head and a good foot). These two gifts, depending on the amount of property owned, are usually 9 camels for the bas-yakhshi and one camel, a horse, a cow and a weapon for the ayak-yakhshi. Earlier the bas-yakhshi consisted of one or two slaves. If the people are poorer, then the bas-yakhshi is one or two camels and horses, and the ayak-yakhshi is a horse, a cow and khalats. Finally the usual bas-yakhshi is a horse and khalats, and the usual ayak-yakhshi is cows, sheep and goats. After this the father sends to the groom's aul for the kalym and receives it according to the following reckoning: for 120 sheep he gets 80, for 60 he gets 40, for 40 he gets 27, because a part is counted as future offspring. The groom first pays the

584 kalym or part of it and gives gifts /343/ to
583 the kinsmen, and pays one yakhshi, usually the ayak-yakhshi. Then he carries the remaining yakhshi himself when he rides for the first time to the bride's, and this yakhshi is called 'elu'. For this he receives the right to visit the bride at night, and spends about three days in the aul, secretly, as it were. He steals into the tent during this time and the parents of the bride act as though they knew nothing about it. In order to receive the right to visit the bride during the day the groom again gives gifts. To her father he gives the so-called 'tui-mal' and to her mother a payment for her milk, 'syut-ake'. The value of the tuimal, which depends entirely upon the wealth involved, and among the righ may be from 50 to 100 horses and one harness, is returned to the groom in the form of the bride's dowry if the marriage is broken off. The match-making sometimes lasts quite a long time, perhaps a year or more. During this time all the entertainment of guests is at the expense of the
[585] bride's father. Only after this period is over does the groom ride to fetch the bride. For this he puts on his best clothing, mounts his best horse and arrives at the aul of his future wife. Here a tent has already been prepared for him, and after a prayer by the mullah, which i. actually the wedding, the bride and groom are led into the tent and left there alone. All these arrivals are of course accompanied by feasts and entertainments but the groom suffers especially during the last visit for the relatives of the bride take away everything, his horse, clothing, weapon, etc. In addition, all through the match-making the bride's brother has the right to steal anything he wants from the groom without paying any fine for it, and if he is caught he

584 is only given an ordinary beating. From all
583 this one can see that the marriage consists
• of a civil agreement under a show of gifts,
and both sides have almost an equal interest
in conforming to it. But the real advantage
goes to the bride's kinsmen who receive gifts
and return nothing. Sometimes the bride is
not given so informally to the groom, and she
must be taken by force, and yet certain customs
are observed in this case as well. After the
final cohabitation, the newly-weds return home
and are accompanied triumphantly, and then the
celebrations begin at the groom's father's and
at his expense. It is self-evident that the
number of gifts and the elaborateness of the
feasts are always in proportion to the means
of both sides.

764 /344/ Burial. According to Kazakh custom
the deceased is washed and dressed in his best
clothing, and sometimes he is wrapped in a
khalat. If a man has died, his wives are re-
quired to set up a terrible wail of despair
and repeat this ceremony mornings and evenings
for a year. In these cases the neighboring
women never lag in visiting the one in mourning
in order to wail with her to satiety. At the
funeral the mullah reads prayers twice; at home,
before the body is carried out, and at the
actual burial. They dig a pit with a wooden
floor for the deceased, or they place him at
the side of the main pit. Graves are usually
on elevations, and over them they make memo-
rials of wood, stone, clay or earth, sometimes
in the form of buildings with a round cupola
and turrets. It is remarkable that very often
the Kazakhs depart in this case from the Moslem
rules and make images of animals and people in
765 these tombs. Of course, at the burial there
is usually a feast for the guests, but the